

RECEIVED

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH
THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE
ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, D.C.
20231, on August 20, 2001



Marie G. Duden



Attorney Docket No. **FCCC96-11**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tsichlis
Serial No.: 09/202,549
Filed: October 12, 1999
For: NUCLEIC ACID MOLECULE FOR ENHANCING GENE EXPRESSION

Group Art Unit No.: 1636
Examiner: Davis, K.

Box Sequence
Commissioner for Patents
Washington, D.C. 20231

Sir:

This replies to the communication mailed July 18, 2001 (Paper No. 13) from the Patent Office, entitled "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures." A copy of the Notice to Comply is enclosed.

Submitted herewith is a substitute "Sequence Listing" in computer readable form (CRF), and substitute paper copy of the sequence listing in accordance with the requirements of 37 CFR §§ 1.821 through 1.825.

The Commissioner is hereby authorized to charge any fees due, or credit any overpayment to Deposit Account No. 18-0586.

The content of the CRF complying with 37 CFR §1.822, and or 1.823, such as the explanation of "n" in SEQ ID NOS:1, 2, 3, and 4 has now been provided.

AMENDMENT

Applicant respectfully requests entry of the following amendment into the record of the above-captioned application.

In the Specification:

Please substitute the enclosed corrected paper copy sequence listing in place of the paper copy sequence listing now on file in this application. No new matter is added by this amendment.

STATEMENT

The specification has been amended to explain "n" used in SEQ ID NOS: 1, 2, 3, and 4. The character "n" in SEQ ID NO: 1 at locations 1 and 9 is any nucleotide. Support for this explanation can be found at page 4, lines 29-30. The character "n" in SEQ ID NO:2 at location 9 is "t" or "a". Support for this explanation can be found at page 4, lines 31-32. The character "n" in SEQ ID NO:3 is explained as follows: at locations 1 and 3, "n" is any nucleotide; at locations 4 and 5, "n" is "g" "c" or "t", or is absent, or is an oligonucleotide of two or more nucleotides; and at locations 6 and 9, "n" is "a" "g" or "c", or is absent, or is an oligonucleotide of two or more nucleotides. Support for this explanation can be found at page 5, lines 10-23. The character "n" in SEQ ID NO:4 is explained as follows: at location 2, "n" is "a" or "c"; at location 7, "n" is "inosine" or "c"; and at location 15, "n" is "a" or "t". Support for this explanation can be found at page 7, lines 28-30 and in Fig. 1. No new matter is added.

A paper copy of the Substitute Sequence Listing consisting of SEQ ID NOS:1-14 is submitted concurrently herewith. Also submitted herewith is a substitute copy of the computer readable form (§ 1.825(b)) of the Substitute Sequence Listing.

Serial No. 09 202,549

Group Art Unit: 1636

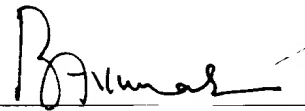
Applicant hereby states that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the sequence listing of the application, as filed and include no new matter.

Applicant also states that the enclosed substitute copy of the computer readable form (substitute CRF diskette) and substitute paper copy of the "Sequence Listing" submitted herewith are identical as required under 37 CFR §1.825(b).

Closing Remarks

Applicant thanks the Examiner for the Communication and believes this response to be a full and complete response to such Communication. Accordingly, favorable examination of the application and allowance of the pending claims are earnestly solicited.

Respectfully submitted,



Nanda P.B.A. Kumar
Registration No. 44,853
Attorney for Applicant

Date: August 20, 2001

REED SMITH SHAW & McCLAY
2500 One Liberty Place
1650 Market Street
Philadelphia, Pennsylvania 19103-7301
Fax: (215) 851-1420
Attn: William J. McNichol, Esq.
215-241-7950